

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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HENRY SCOTT,

Petitioner

DECISION AND ORDER

-vs-

07-CV-6564 (CJS) (VEB)

NEW YORK STATE DEPARTMENT  
OF CORRECTIONAL SERVICES,

Respondent

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The Honorable Victor E. Bianchini, United States Magistrate Judge, having issued a Report and Recommendation [#6], recommending that this action be dismissed without prejudice at Petitioner's request, it is hereby

ORDERED, that the Report and Recommendation [#6] is accepted and affirmed in all respects, and this action is dismissed without prejudice.

Dated: Rochester, New York  
March 3, 2008

ENTER:

/s/ Charles J. Siragusa

CHARLES J. SIRAGUSA

United States District Judge